

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

COUNTY OF BUTLER, et al.,	:	Civil Action No. 2:20-cv-677
Plaintiffs	:	
	:	Hon. William S. Stickman IV
vs.	:	
	:	
THOMAS W. WOLF, et al.,	:	
Defendants	:	

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA	:	
	:	ss.
COUNTY OF BUTLER	:	

My name is George M. “Mike” Kelly. I reside in the City of Butler, Butler County, Pennsylvania. I have served in the United States House of Representatives since January 3, 2011. I am currently campaigning for reelection in the 16th District for the 2020 election cycle. I have been preparing for this campaign since mid-2019. Typical activities planned for this campaign include fundraisers, dinners, meet and greets, and disseminating political flyers and pamphlets door to door. In March of 2020, I became aware of Governor Wolf’s shutdown Orders mandating that all private businesses immediately cease operations as well as mandating that all citizens remain in their homes. These Shutdown Orders severely impacted my ability to effectively campaign.

The most egregious impact that these Shutdown Orders had on my campaign stemmed from the prohibition of intra-state travel throughout the Commonwealth of Pennsylvania. I was prevented from being able to travel inside my own district to meet my constituents (and they were likewise so prohibited), leaving little to no face to face interaction with the voting public. This restriction significantly diminished my campaign staff as many volunteers were unable to legally travel to or

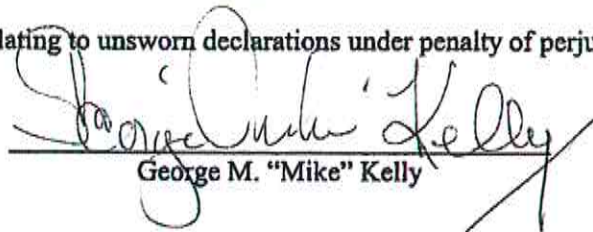
significantly diminished my campaign staff as many volunteers were unable to legally travel to or from our campaign offices or to meet with voters. In the past, my successful campaigns had a large emphasis on traveling door to door to meet with constituents. It is my belief that it is critical for political candidates to be able to personally interact with their voter base. This allows for more effective communication of political positions and allows voters to voice their policy concerns to the candidates before the election. Yet this necessary interaction was eliminated by the Shutdown Orders set forth by Governor Wolf and Secretary Levine.

The 16th Congressional District of Pennsylvania is geographically located across multiple Counties in western Pennsylvania. These counties include Butler, Lawrence, Mercer, Crawford, and Erie Counties. Governor Wolf's phased reopening plan significantly impacted my campaign efforts as the reopening plan allowed counties to be reopened at different times based on a color coded designation based on confirmed cases within the County. The arbitrary designations had caused Butler and Erie County to reopen at later times than Lawrence, Mercer, and Crawford Counties within my District. This had the effect of allowing travel in certain portions of my district and forbidding travel in others.

All of our door-to-door operations had to be stopped as we were prevented from both using volunteers to go door-to-door and from actually traveling door-to-door. We were also forced to cancel multiple fundraisers and dinners. In the past, these fundraisers have financed a significant portion of my campaigns, yet for this election we had to entirely forego holding them. My campaign was also forced to cancel a political rally for me to speak to constituents due to both travel prohibitions and congregate rules. Likewise, businesses where we have traditionally held such events were closed as well.

Specifically, Governor Wolf's shutdown orders required us to cancel our annual St. Patrick's Day event due to travel bans and congregate restrictions. At the same time political protests, including those attended by the Governor have far exceeded the number of constituents we have experienced at our campaign rallies and political events. The Governor's and Health Secretary's Orders were ignored by both Governor (see Exhibit "___" attached) and the participants with no threats of enforcement, while we and other citizens were threatened with arrests and fines for violations thereof. Previously this event was an invaluable opportunity to meet and talk with my constituents and provided the public much needed access to political candidates.

I verify that the statements made in the foregoing document are true and correct to the best of my knowledge, information, and belief. I declare, certify, verify, or state under penalty of perjury that the foregoing is true and correct, under 28 U.S.C. Section 1746, relating to unsworn declarations under penalty of perjury.


George M. "Mike" Kelly